

not having been banished from their mother country, not having abjured it, having on the contrary benefited it commercially, and never having swerved from their allegiance, they are still English citizens. This, the crucial thesis of Dulany's argument, is supported by significant citations from Puffendorf's Law of Nature and of Nations, Grotius On the Rights of War and Peace, Coke, and the Acts of the Apostles. In the latter case, the fact of St. Paul's appeal to Cæsar on the basis of his Roman citizenship, leads to the deduction that the Province of Maryland is as much a part of the British dominions as Tarsus was part of the Roman Empire. If anything, the claim of the Marylander is stronger, for his ancestors were English, while those of St. Paul were not Roman.

Then follows a citation from John Locke's Second Essay on Civil Government. The passage selected treats of equality, and is used to argue therefrom the equal right of all the subjects of the English King to the protection and laws which their allegiance justifies.

Next comes an attempt to show that the *statutes* are an essential part of this inheritance. For statutes are the only means of remedy against invasions of the Common Law Rights of citizens. Now, right and remedy are inseparable. As was said in the case of the Aylesbury Men, want of Right and want of Remedy are *termini convertibiles*.

The great bulwarks of English liberty have been erected as statutes. Witness Magna Charta; the various establishments of civil liberty under the Edwards; the Petition of Right, with its reference to ancient statutes; the Acts of the Long Parliament, especially that for the dissolution of the Star Chamber, the Habeas Corpus Act, the Act for settling the succession of the Crown—all were statutes, and surely all English citizens have as much a right to these as to the benefits of the common law. In Maryland, also, are they needed to an equal degree and equally prized.

The argument *contra*, from the adverse decisions of the courts with reference to Ireland, or the English territories in